

Appl. No. 10/065,767
Amtd. dated August 09, 2005
Reply to Office action of 06/15/2005

REMARKS

Specification is objected to because it introduces new matter in claims 14 & 15.

Applicant is required to cancel the new matter:

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Applicant has cancelled claims 14 and 15.

Claims 3 and 4 are objected to because of informalities. Claim 3, line 2 “whether the spare block is defective” should be --whether each of the spare blocks are

10 **defective--:**

Applicant has amended claim 3 according to the instructions from Examiner to correct the above-mentioned informality. Additionally, the redundant phrase “each of the spare blocks could” is deleted. No new matter is entered by this amendment.

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Claim 4, line 2 “whether the spare block has been used” should be --whether each of the spare blocks have been used--:

20 Applicant has amended claim 4 according to the instructions from Examiner to correct the above-mentioned informality. Additionally, the redundant phrase “each of the spare blocks could” is deleted. No new matter is entered by this amendment.

Claims 13-18 are rejected under 35 USC 112, first paragraph, as failing to comply with the enablement requirement:

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Applicant has cancelled claims 13-18.

Claims 2 and 6 are rejected under 35 USC 112, second paragraph, as being indefinite. Claim 2, lines 6-7 recite "the spare blocks", which can refer to either the 5 "plurality of spare blocks" in claim 1, line 3 or the first, second and third spare blocks in claim 2. Claims 2 and 6 have sentence structures that are grammatically confusing and incomprehensible.

Applicant has amended the grammar of claims 2 and 6 to clarify the meaning and to 10 properly indicate that "the spare blocks" refers to "the first, second, and third spare blocks". No new matter is entered by these amendments.

Claims 1-4, 7, 8 and 10-12 are rejected under 35 USC 102a as being anticipated by the Applicant's admitted prior art:

15 Applicant has amended claim 1 to include the limitation that the "within the status table, a first column recording a status of a last spare block in a first area always neighbors a second column recording a status of a first spare block in a next area." This is in contrast to the prior art shown in Fig.4a. In particular the column labeled (F, S16, -) is 20 the last spare block in a first area (SA(n) and DA(n), however, the column labeled (F, S16, -) neighbors columns labeled (F, S15, -) and (D, S7, -), neither of which correspond to the first spare block in a next area SA(n+1). For at least this reason, applicant asserts that currently amended claim 1 should be found allowable over the prior art of Fig.4a. No new matter is entered by this amendment. Consideration of currently amended claim 1 is 25 respectfully requested. If claim 1 is found to be allowable, then so too should the depended claims 2-12.

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Sincerely yours,

Winston Hsu

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5 Winston Hsu, Patent Agent No. 41,526
P.O. BOX 506, Merrifield, VA 22116, U.S.A.
Voice Mail: 302-729-1562
Facsimile: 806-498-6673
e-mail : winstonhsu@naipo.com

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